

1 Robert W. Dickerson (State Bar No. 89,367)
rwdickerson@jonesday.com
2 Michael A. Tomasulo (State Bar No. 179,389)
matomasulo@jonesday.com
3 JONES DAY
555 South Flower Street, Fiftieth Floor
4 Los Angeles, CA 90071-2300
Telephone: (213) 489-3939
5 Facsimile: (213) 243-2539
Attorneys for Plaintiff
6 ACTIVISION PUBLISHING, INC.

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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11 ACTIVISION PUBLISHING, INC.,

12 Plaintiff,

13 v.
14

15 JOHN TAM, an individual, JAMIE
YANG, an individual, COREY FONG,
an individual, DOUG KENNEDY, an
16 individual, HONG LIP YOW, an
individual, RAYMOND YOW, an
17 individual, REVERB
COMMUNICATIONS, INC., a
18 California corporation, and THE ANT
COMMANDOS, INC., a California
19 corporation,

20 Defendants.
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Case No. C-07-3536 MEJ

**ACTIVISION PUBLISHING,
INC.'S REQUEST FOR ENTRY
OF PROPOSED CONSENT
JUDGMENTS AND
PERMANENT INJUNCTIONS
AS TO TAC AND REVERB
DEFENDANTS IN LIGHT OF
COMPLIANCE WITH COURT'S
SEPTEMBER 12, 2007 ORDER**

1 Plaintiff Activision Publishing, Inc. (“Activision”) respectfully submits that
 2 the parties have satisfied the requirements of the Court’s Order of September 12,
 3 2007, which states:

4 As it appears that all Defendants in this matter have
 5 reached settlements with Plaintiff, the Court finds that the
 6 most appropriate resolution of the pending case is for all
 7 parties to file a proposed consent judgment and permanent
 8 injunction. The parties may file one joint proposal or
 9 separate proposals for each settlement agreement;
 10 however, the Court will not rule on any proposals until it
 11 has received a proposal from all Defendants.

12 Activision has now settled with all Defendants,¹ and consent judgments and
 13 permanent injunctions as to **all defendants** have now been either (i) previously
 14 entered by Judge Anderson (who transferred this case to this Court); or (ii)
 15 submitted to this Court. To wit:

- 16 • Pursuant to a settlement agreement between Activision and Former
 17 Employee Defendants John Tam and Corey Fong, Judge Anderson
 18 entered a *Consent Judgment And Permanent Injunction As To*
 19 *Defendants John Tam And Corey Fong* on March 29, 2007 (see CACD
 20 Docket No. 69);
- 21 • Pursuant to a settlement agreement between Activision and Former
 22 Employee Defendant Jamie Yang, Judge Anderson entered a *Consent*

23 ¹ Defendants in this case are as follows:

- 24 • John Tam, Corey Fong and Jamie Yang (the “Former Employee
 25 Defendants”);
- 26 • The Ant Commandos, Inc. and its principals, Raymond Yow and Hong
 27 Lip Yow (collectively, the “TAC Defendants”); and
- 28 • Reverb Communications, Inc. and its employee, Doug Kennedy
 (collectively, the “Reverb Defendants”).

1 *Judgment And Permanent Injunction As To Defendant Jamie Yang* on
2 April 20, 2007 (*see* CACD Docket No. 77);

- 3 • Pursuant to a settlement agreement between Activision and the TAC
4 Defendants (TAC, Raymond Yow, Hong Lip Yow), Activision and the
5 TAC Defendants submitted a *Proposed Consent Judgment and*
6 *Permanent Injunction as to Defendants Raymond Yow, Hong Lip Yow*
7 *and The Ant Commandos, Inc.* on August 31, 2007 (*see* CAND Docket
8 No. 47); and
- 9 • Pursuant to a settlement agreement between Activision and the Reverb
10 Defendants (Reverb Communications, Inc. and Doug Kennedy),
11 Activision and the Reverb Defendants submitted a *Proposed Consent*
12 *Judgment and Permanent Injunction as to Defendants Doug Kennedy*
13 *and Reverb Communications, Inc.* on September 11, 2007 (*see* CAND
14 Docket No. 52).

15 Thus, as required by the Court's September 12, 2007 Order, proposed
16 consent judgments and permanent injunctions have been submitted as to **all of the**
17 **defendants**. Two of those consent judgments and permanent injunctions were
18 entered by Judge Anderson (CACD Docket Nos. 69, 77) and two of them are now
19 before this Court (CAND Docket Nos. 47, 52).

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1 Thus, Activision respectfully requests that the Court execute and enter the
2 following two proposed consent judgments and permanent injunctions:

- 3 • *Proposed Consent Judgment and Permanent Injunction as to*
4 *Defendants Raymond Yow, Hong Lip Yow and The Ant Commandos,*
5 *Inc. (CAND Docket No. 47); and*
- 6 • *Proposed Consent Judgment and Permanent Injunction as to*
7 *Defendants Doug Kennedy and Reverb Communications, Inc. (see*
8 *CAND Docket No. 52).*

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11 Dated: September 12, 2007

Respectfully submitted,
JONES DAY

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13 By: /s/
14 Michael A. Tomasulo

15 Attorneys for Plaintiff
16 ACTIVISION PUBLISHING, INC.
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